

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

Please cancel claims 3, 11 and 14 without prejudice.
Please add new claims 21-23.

SUPPORT FOR THE SPECIFICATION AMENDMENTS

Support for the specification amendments may be found in the specification, for example, in FIG. 2, as originally filed. Thus, no new matter has been added.

SUPPORT FOR THE CLAIM AMENDMENTS

Support for the claim amendments may be found in the specification, for example, on page 9 lines 13-19, page 15 lines 1-14, page 16 lines 6-11, page 23 lines 11-12, claim 5 and FIGS. 2 and 5, as originally filed. Thus, no new matter has been added.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1-5, 9, 10, 12-15, 17, 19 and 20 under 35 U.S.C. §102(e) as being anticipated by Marpe et al. (hereafter Marpe), US Pub. No. 2005/0074176 has been obviated by amendment and should be withdrawn.

Marpe concerns coding of a syntax element contained in a pre-coded video signal (title).

Claims 1, 12 and 20 are independently patentable over the cited reference. Claim 1 provides that a neighbor condition comprises (i) a first at least one of the neighbor blocks is subpartitioned to an 8x8 size. In contrast, paragraph 0063 of Marpe states that a macroblock pair is partitioned into a top macroblock and a bottom macroblock. One of ordinary skill in the art would understand that each of the top macroblock and the bottom macroblock comprise a square of 16x16 luminance samples. Therefore, Marpe does not appear to disclose or suggest that a neighbor condition comprises a first at least one of the neighbor blocks is subpartitioned to an 8x8 size, as presently claimed. Claims 12 and 20 provide similar language.

Claim 1 further provides that the neighbor condition comprises (ii) a second at least one of the neighbor blocks has a direct mode. In contrast, Marpe appears to be silent regarding a block having a direct mode. Therefore, Marpe does not appear to disclose or suggest that the neighbor condition comprises a second at least one of the neighbor blocks has a direct mode. Claims 12 and 20 provide similar language.

Claim 1 further provides that the neighbor condition comprises (iv) a reference index zero flag having a non-zero condition. In contrast, Marpe appears to be silent regarding a reference index zero flag. Therefore, Marpe does not appear to disclose or suggest that a neighbor condition comprises a reference

index zero flag having a non-zero condition, as presently claimed. Claims 12 and 20 provide similar language.

Claim 1 further provides (C) calculating a context index increment variable based on the first variables. Marpe appears to be silent regarding calculation of a context index increment variable. Instead, paragraph 0088 of Marpe discloses calculating a context index macroblock field (ctxIdxMbField) indicating a probability model used to binary arithmetic code a variable mb_field_decoding_flag. One of ordinary skill in the art would consider the claimed context index increment variable to be different than the context index macroblock field of Marpe due to their different purposes. Therefore, Marpe does not appear to disclose or suggest calculating a context index increment variable based on the first variables, as presently claimed. Claims 12 and 20 provide similar language. As such, the presently claimed invention is fully patentable over the cited reference and the rejections should be withdrawn.

Claims 4 and 15 are independently patentable over the cited reference. Claim 4 further provides independently setting each of the first variables to the non-zero condition in response to the neighbor condition indicating that a corresponding one of the prediction modes is associated with a same list applicable to a syntax element being coded. Claim 15 provides similar language. The Office Action cites paragraph 0087 of Marpe in the rejection:

[0087] When in step 308/309 it is determined that macroblock N, with N being either A or B, is marked as available, in step 310 and step 311, respectively, it is determined as to whether macroblock N (N being equal to A or B) is a macroblock coded in field mode or a macroblock coded in frame mode. In case macroblock A is coded in field mode a flag condTermflagA is set to 1 in step 312. The same applies for macroblock B so that condTermflagB is set to 1 in step 313 if macroblock B is coded in field mode. In all other cases, i.e., when mbAddrA is smaller than 0 (308) or macroblock A is coded in frame mode (310), the flag condTermFlagA is set to 0 in step 314. Accordingly, when mbAddrB is smaller than 0 (309) or macroblock B is coded in frame mode (311), the flag condTermFlagB is set to 0 in step 315.

Nowhere in the above cited text, or in any other section does Marpe appear to mention that one of the prediction modes is associated with a same list applicable to the syntax element being coded, as presently claimed. As such, claims 4 and 15 are fully patentable over the cited reference and the rejections should be withdrawn.

Claims 5 and 23 are independently patentable over the cited reference. Claim 5 further provides independently setting each of the first variables to a zero condition in response to the neighbor condition indicating that a corresponding one of the prediction modes is (i) the direct mode in a first case and (ii) the skip mode in a second case. In contrast, Marpe appears to be silent regarding a direct mode. Therefore, Marpe does not appear to disclose or suggest independently setting each of the first variables to a zero condition in response to the neighbor condition indicating that a corresponding one of the prediction modes is (i) the direct mode in a first case and (ii) the skip mode in a second

case, as presently claimed. As such, the rejection of claim 5 should be withdrawn and new claim 23 should be allowed.

Claims 2, 4, 5, 9, 10, 15, 17 and 19 depend from claims 1 and 12, which are now believed to be allowable. As such, the dependent claims are fully patentable over the cited reference and the rejections should be withdrawn.

Claims 21-23 depend from claims 1 and 12, which are now believed to be allowable. As such, the new claims are fully patentable over the cited reference and should be allowed.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 6-8, 11 and 16 under 35 U.S.C. §103(a) as being unpatentable over Marpe in view of Wiegand et al. (hereafter Wiegand), document "Joint Video Team (JVT) of ISO/IEC MPEG & ITU-T VCEG", 8th Meeting, Geneva, Switzerland, May 2003 has been obviated by amendment and should be withdrawn.

Marpe concerns coding of a syntax element contained in a pre-coded video signal (title). Wiegand concerns a recommendation and final draft international standard of Joint Video Specification (title).

Claims 6 and 16 are independently patentable over the cited references. Claim 6 further provides independently setting each of the first variables to a zero condition in response to the neighbor condition indicating that a corresponding one of the

prediction modes does not use a pixel prediction from a same list applicable to a syntax element being coded. Claim 16 provides similar language. Despite the assertion in the Office Action, the entire page 186 of Wiegand appears to be silent regarding an indication that a corresponding one of the prediction modes does not use a pixel prediction from a same list applicable to a syntax element being coded. Therefore, Marpe and Wiegand, alone or in combination, do not appear to teach or suggest independently setting each of the first variables to a zero condition in response to the neighbor condition indicating that a corresponding one of the prediction modes does not use a pixel prediction from a same list applicable to a syntax element being coded, as presently claimed. As such, the Office is respectfully requested to either (i) clearly identify where and how page 186 of Wiegand allegedly teaches the claimed limitations or (ii) withdrawn the rejections. The Office is further respectfully requested to avoid omnibus rejections that merely cite large portions of a reference without any explanation of how the cited portions are being applied to the claims.

Claims 6-8 and 16 depend from claims 1 and 12, which are now believed to be allowable. As such, the dependent claims are fully patentable over the cited reference and the rejections should be withdrawn.

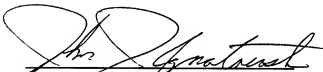
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative between the hours of 9 a.m. and 5 p.m. ET at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



John J. Ignatowski
Registration No. 36,555

Dated: December 21, 2007

c/o Lloyd Sadler
LSI Corporation

Docket No.: 1496.00355 / 03-0975